

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Wednesday, October 1, 1997

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

Motion to Instruct Conferees on H.R. 1757 (Foreign Relations Authorization Act)

H.R. 1127—National Monument Fairness Act

S. 1198—Religious Workers Act (Vote Only)

S. 1161—Authorizing Refugee and Entrant Assistance (Vote Only)

H.Con.Res. 131—Sense of Congress Regarding the Ocean (Vote Only)

H.R. 2233—Coral Reef Conservation Act (Vote Only)

H.R. 1476—Miccosukee Settlement Act (Vote Only)

**H.R. 2007—Authorizing an Amendment to the Canadian River Reclamation Project
(Vote Only)**

H.R. 1262—Securities and Exchange Commission Authorization Act (Vote Only)

**H.R. 2165—Extending the Federal Power Act Deadline for a Hydroelectric
Project in Iowa (Vote Only)**

H.R. 2207—Coastal Pollution Reduction Act (Vote Only)

H.R. 548—Designating the Ted Weiss U.S. Courthouse (Vote Only)

**H.R. 595—Designating the William Augustus Bootle Federal Building and U.S.
Courthouse (Vote Only)**

S. 819—Designating the Martin V. B. Bostetter, Jr. U.S. Courthouse (Vote Only)

S. 833—Designating the Howard M. Metzenbaum U.S. Courthouse (Vote Only)

H.R. 2036—Aviation Insurance Reauthorization Act (Vote Only)



Motion to Instruct Conferees on H.R. 1757 (Foreign Relations Authorization Act)

Floor Situation: The House may consider a motion by Mr. Doggett to instruct House conferees on H.R. 1757 as its first order of business today. Such a motion is privileged after a bill has been in conference for 20 days and must be considered within two legislative days of being filed. The motion is debatable for one hour. The House appointed conferees on H.R. 1757 on July 28.

Summary: The motion instructs House conferees to oppose a Senate-passed provision which the member argues gives preference to private claimants against frozen Iraqi assets vis-a-vis U.S. government claimants, including Gulf War veterans.



H.R. 1127—National Monument Fairness Act

Floor Situation: The House is scheduled to consider H.R. 1127 after it considers the motion to instruct conferees on H.R. 1757. On Monday, the Rules Committee granted a modified-closed rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Resources Committee. The rule makes in order a committee amendment in the nature of a substitute as base text. In addition, the rule makes in order five amendments, debatable in the order listed and for the amount of time specified below. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 1127 amends the 1906 Antiquities Act to limit the president's authority to designate certain areas as national monuments. The bill requires the president to obtain the approval of Congress for proposed monuments larger than 50,000 acres in a single state during a single calendar year. The president retains the right to designate federal lands as national monuments, but proclamations involving more than 50,000 acres in a single state in a single calendar year will not become effective until Congress enacts specific legislation to approve the proposed designation. Before submitting the proposal to Congress, the president must obtain written comments from the governor of the affected state. CBO estimates that enactment will have no significant effect on the federal budget. The bill was introduced by Mr. Hansen and was reported by the Resources Committee by voice vote.

Views: The Republican leadership supports passage of the measure. The Clinton Administration opposes the bill and has pledged to veto it.

Amendments: The modified closed rule makes in order the following five amendments, debatable in the order listed below. Each amendment is debatable for 10 minutes, equally divided between a proponent and an opponent.

Ms. Chenoweth may offer an amendment to require the president to obtain the consent of the governor of the affected state before any land monument designation can become effective. Currently, the bill merely requires the president to consult and obtain written comments from the governor. **Staff Contact:** *Greg Peek, x5-6611*

Mr. Vento may offer an amendment to eliminate the provision that requires the president to obtain the approval of Congress for proposed monuments. In its place, the amendment establishes a one year delay from the time the president announces a designation under the Antiquities Act to when the designation takes effect. In addition, during the one-year period of review, federal lands within the designated area must be withdrawn from development, including oil and mineral development. **Staff Contact:** *Terry Klein, x5-6631*

Mr. Miller (CA) may offer an amendment to establish that, if no comments are received from the governor of the affected state, the presidential proclamation may be submitted to Congress after 90 days. Under the bill, the proclamation may be submitted to Congress 90 days after the governor's comments are received or 180 days from the date of the designation if no comments were received. *Staff Contact: Rick Healy, x6-2311*

Mr. Miller (CA) may offer an amendment in the nature of a substitute to require the president to consult the governor of the affected state, as well as any other individual or organization he deems advisable, at least 60 days prior to issuing a proclamation, unless the president finds that a delay will jeopardize the values for which the monument is being established. *Staff Contact: Rick Healy, x6-2311*

Mr. Miller (CA) may offer an amendment to establish that the provisions of the Antiquities Act apply to federal lands in all 50 states and territories of the United States. Currently, both Alaska and Wyoming either have full or partial exemptions from the Antiquities Act. In 1943, President Roosevelt used his authority under the Antiquities Act to designate the Jackson Hole National Monument, which is now part of Grand Teton National Park. In 1978, President Carter proclaimed 17 national monuments in Alaska, totaling more than 55 million acres. After both designations, the president and Congress worked out legislation authorizing a full exemption for Wyoming (in 1950) and a partial exemption for Alaska (in 1980) that requires congressional approval for any executive land withdrawals of more than 5,000 acres. *Staff Contact: Rick Healy, x6-2311*

Additional Information: See *Legislative Digest*, Vol. XXVI, #27, September 26, 1997.



Votes on Bills Considered Under Suspension of the Rules

Floor Situation: The House will vote on 14 bills, which were considered under suspension of the rules on Monday but for which votes were postponed, after it finishes debate on H.R. 1127. Each requires a two-thirds majority vote for passage.

S. 1198—Religious Workers Act provides permanent authority for the Immigration and Naturalization Service (INS) to issue immigrant visas to religious workers from other countries. Visa authority was granted to the INS to provide 10,000 visas per year for “special immigrants.” Included in this category are ministers and other individuals associated with various religious organizations who come to the U.S. to conduct work related to their cause. Religious workers must have two years experience in their work, and their sponsoring organizations must be a *bona fide* religious organization or affiliate, and be certified—or eligible for certification—under section 501(c)(3) of the Internal Revenue Code. A CBO cost estimate was unavailable at press time. S. 1198 was introduced by Sen. Abraham and was passed in the Senate by unanimous consent on September 18, 1997. The bill was not considered by a House committee.

S. 1161—Authorizing Refugee and Entrant Assistance authorizes such sums as necessary under the Refugee Assistance Act for two additional years, through FY 1998 and FY 1999. The act authorizes assistance to refugees through grants to private non-profits associations and government

agencies to be used to provide job training, employment assistance, preventive health services, and cash assistance to help stabilize refugees as they arrive in the U.S. In addition, through the Public Health Service, U.S.-bound refugees receive medical screenings while still overseas to prepare for their travel abroad, as well as for the public's protection against contagious diseases. In the U.S., the Department of Health and Human Services Office of Refugee Resettlement (ORR) provides states and localities with large refugee populations with targeted assistance. ORR also administers a matching grant program for volunteer agencies that assist the federal government in refugee resettlement. The measure is considered non-controversial. A CBO estimate was unavailable at press time. S. 1161 was introduced by Sen. Abraham and was passed in the Senate passed by unanimous consent on September 10, 1997. The bill was not considered by a House committee.

H.Con.Res. 131—Sense of Congress Regarding the Ocean expresses the sense of Congress to (1) recognize the critical importance the ocean and marine resources has on the economy, environment, and national security of the United States; (2) affirm that the United States has a responsibility to exercise and promote comprehensive stewardship of the ocean and the living marine resources it contains; and (3) encourage the administration to take advantage of the international focus on the ocean in 1998 by examining U.S. ocean programs and taking substantive actions to improve the understanding and use of marine resources. CBO estimates that enactment will have no significant effect on the federal budget. The bill was introduced by Mr. Saxton and reported by the Resources Committee by voice vote.

H.R. 2233—Coral Reef Conservation Act establishes the Coral Reef Conservation Fund in the U.S. Treasury, from which monies will be competitively awarded to organizations to conduct a variety of coral reef conservation projects. The program will be administered by the Commerce Department and funded through appropriations and donations. Any state, territory, or non-governmental authority may apply for a grant of financial assistance. The Commerce Secretary will determine, within six months after the proposal has been submitted, whether it meets the criteria for approval and will give priority to projects which (1) promote sustainable development and ensure long-term conservation of coral reefs; and (2) provide matching funds. H.R. 2233 authorizes \$1 million annually for the Coral Reef Conservation Fund for FYs 1998-2002. Assuming appropriation of authorized amounts, CBO estimates that enactment will result in additional discretionary spending of about \$4 million over the FY 1998-2002 period. The bill was introduced by Mr. Saxton and reported by the Resources Committee by voice vote.

H.R. 1476—Miccosukee Settlement Act authorizes a settlement agreement reached between the state of Florida, the Miccosukee Tribe, and the Interior Department involving the transfer of rights-of-way from the tribe to the state for the construction of an interstate highway. Under the terms of the settlement, the tribe will receive approximately \$2 million from the state, new reservation land to be held in trust by the United States, and other benefits. In return for the land transfer, the tribe must dismiss pending litigation against the state and drop claims against the state of Florida and the DOT pertaining to Interstate 75. The settlement also includes provisions relating to airboat access to certain lands, the relocation of a microwave tower, lighting at the Snake road interchange, and the conveyance of approximately 23 acres of land to the U.S. The bill is considered non-controversial. CBO estimates that enactment will have no significant impact on the federal budget. The bill was introduced by Mr. Diaz-Balart and reported by the Resources Committee by voice vote.

H.R. 2007—Authorizing an Amendment to the Canadian River Reclamation Project directs the Interior Secretary to allow the use of the Canadian River Project distribution system, a federal

reclamation project in Texas, to transport water from the Canadian River Conjunctive Use Groundwater Project, a nonfederal water project currently in the design phase, to municipalities that already receive water from the Canadian River Project. The two supplies of water will be blended to reduce salinity in the existing water supply and meet projected increases in water demand. CBO estimates that enactment will have no significant effect on the federal budget. The bill was introduced by Mr. Thornberry and reported by the Resources Committee by voice vote.

H.R. 1262—Securities and Exchange Commission Authorization Act authorizes \$663 million for the Securities and Exchange Commission (SEC) over the next two years to monitor securities trading in stock exchanges and over-the-counter (OTC) markets. The bill also limits the amount that may be spent per fiscal year to (1) \$3,000 for official representation and legal representation expenses; (2) \$10,000 for a permanent secretariat for the International Organizations of Securities Commissions; and (3) \$100,000 for expenses incurred during meetings with foreign securities officials. CBO estimates that enactment will result in net new discretionary spending of \$30 million over the next five years. The bill was introduced by Mr. Oxley and was reported by the Commerce Committee by voice vote.

H.R. 2165 extends the Federal Power Act deadline, for up to six years, to begin construction of a 27-megawatt hydroelectric project located in Iowa. The original deadline has not been met because a power purchase agreement has not been negotiated. CBO estimates that enactment will result in no significant cost to the federal government. The bill was introduced by Mr. Leach and was reported by the Commerce Committee by voice vote.

H.R. 2207—Coastal Pollution Reduction Act amends the 1972 Clean Water Act to allow the waste water treatment plant in Mayaguez, Puerto Rico, to apply to the Environmental Protection Agency (EPA) for a waiver from the requirement for secondary treatment of waste water discharges. The bill also authorizes \$20 million in FY 1998 for grants to states under the EPA's national estuary program. CBO estimates that enactment will result in additional discretionary spending of \$20 million over the FY 1998-1999 period. The bill was introduced by Mr. Romero-Barcelo and was reported by the Transportation Committee by voice vote.

H.R. 548 names the federal courthouse located at 500 Pearl Street in New York City, New York, after Ted Weiss. Congressman Weiss (1927-1992) began his career in public service as the Assistant District Attorney for New York City in 1953. He then ran for the New York City Council, where he served for fifteen years. In 1976, he was elected to the U.S. House of Representatives where he held leadership positions on the House Committees on Banking Finance and Urban Affairs, Foreign Affairs, and Government Operations. CBO estimates that enactment will have no significant impact on the federal budget. The bill was introduced by Mr. Nadler and was reported by the Transportation Committee by voice vote.

H.R. 595 names the federal building and courthouse located at 475 Mulberry Street in Macon, Georgia, after William Augustus Bootle. Judge Bootle received his L.L.B. degree from Mercer University Law School in 1925. He was appointed Assistant United States Attorney for the Middle District of Georgia in 1928, and eventually served as United States Attorney for the Middle District of Georgia until 1933. In 1954, President Eisenhower appointed him to the U.S. District Court. During his tenure on the bench, Judge Bootle issued an order declaring that two African-American students be admitted to the University of Georgia. This was the first court ruling in Georgia to integrate schools. CBO estimates that enactment will have no significant impact on the federal

budget. The bill was introduced by Mr. Chambliss and was reported by the Transportation Committee by voice vote.

S. 819 names the federal courthouse located at 200 South Washington Street in Alexandria, Virginia, after Martin V. B. Bostetter, Jr. Judge Bostetter's entire career has taken place in Alexandria, Virginia. He began practicing law in 1952, was appointed Special Assistant to the City Attorney in 1953, became an Associate Judge of the Municipal Court in 1957, and accepted an appointment to the United States Bankruptcy Court in 1959. Appointed Chief Judge in 1985, Bostetter continues to serve as a judge for the U.S. Bankruptcy Court for the Eastern District of Virginia where he ranks among the longest sitting bankruptcy judges in America. CBO estimates that enactment will have no significant impact on the federal budget. The bill was introduced by Senator Warner and passed the Senate by unanimous consent on June 12. Companion legislation (H.R. 1851) was introduced in the House by Mr. Moran and was reported by the Transportation Committee by voice vote.

S. 833 names the federal courthouse located at Public Square and Superior Avenue in Cleveland, Ohio, after Howard M. Metzenbaum. Mr. Metzenbaum served the state of Ohio as a Senator for three terms, retiring in 1994. He focused on issues such as clean air protection, nuclear regulation, antitrust laws, and gun control, but his favorite crusade was against special breaks for business. As a Senator, Metzenbaum was both hailed and decried by his colleagues as being a legendary obstructionist. A master of parliamentary maneuvering within the arcane traditions of the Senate, he was famous for mounting filibusters near the end of congressional sessions to block what he considered "giveaways to special interests." He single-handedly stopped a multibillion dollar tax break for independent oil producers in 1981. The bill was introduced by Senator Lautenberg and passed the Senate by unanimous consent on July 25.

H.R. 2036—Aviation Insurance Reauthorization Act extends the authorization of the aviation insurance program and provides the Federal Aviation Administration (FAA) with borrowing authority to reimburse airlines for any losses that exceed amounts in the aviation insurance fund. Current law expires on September 30, 1997, and the bill reauthorizes the program through FY 2002. CBO estimates that enactment will have no significant impact on the federal budget over the next five years. The bill was introduced by Mr. Shuster and was reported by the Transportation Committee by voice vote.

Additional Information: See *Legislative Digest*, Vol. XXVI, #27, September 26, 1997.



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